

Docket No.: 36844-202891

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Mcdonald et al.

Art Unit: Not Yet Assigned

Application No: 10/553,172

Examiner: Not Yet Assigned

Confirmation No: 1189

Filed: October 17, 2005

Atty. Docket No: 36844-202891

Customer No:

For: MODULAR BUILDING PANELS,

METHOD OF ASSEMBLY OF BUILDING PANELS AND METHOD OF MAKING

BUILDING PANELS

26694
PATENT TRADEMARK OFFICE

## **INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Receipt date: 08/17/2006 10553172 - GAU: 3633

Application No.: 10/553,172 Docket No.: 36844-202891

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 36844-202891.

Dated: 8/17/06

Respectfully submitted,

Andrew C. Aitken

Registration No.: 36,729

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Attorney/Agent For Applicant

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Receipt date: 08/17/2006 0

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				Complete if Known			
				Application Number	10/553,172-Conf. #1189		
IN	<b>IFORMATION</b>	I DI	SCLOSURE	Filing Date	October 17, 2005		
S	TATEMENT B	3Y /	APPLICANT	First Named Inventor	Frank Mcdonald		
				Art Unit	Not Yet Assigned		
	(Use as many sh	eets as	necessary)	Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number 36844-202891			

			U.S. PA	TENT DOCUMENTS			
Examiner Initials*	Cite No.1 Number-Kind Code <sup>2</sup> ( if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	AA*	US-2,204,319	06-11-1940	Parsons			
	AB*	US-2,735,518	02-21-1955	Schopper			
	AC*	US-3,755,982	09-04-1973	Schmidt			
	AD*	US-3,760,548	09-25-1973	Sauer			
	AE*	US-4,360,553	11-23-1982	Landheer			
	AF*	US-4,567,698	02-04-1986	Morrison			
	AG*	US-4,726,157	02-23-1988	Hult	_		
	AH*	US-5,165,212	11-24-1992	Arnold			
	Al*	US-5,377,470	01-03-1995	Hebinck			
	AJ*	US-5,384,993	01-31-1995	Phillips			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,		
	No.1	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
	ВА	GB-2,057,529	04-01-1981	Vale			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	r Cite No. 1 Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the iten magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), published and/or country where published.							
	CA	"New Sandwich Panel System Combines Steel, EPS and Polymerized Cement for Tropical Housing," Automated Building, August 1996, pages 18-20.						

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner		Date	
Signature	/Jason Holloway/	Considered	03/28/2009

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Receipt date: 08/17/2006

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

10/553,172

PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Effective on 12/08/2004.

**Application Number** 

FEE TRANSMITTAL				Filing Date October 17, 2005					
		First Named In	ventor	Frank Mcdonald					
		Examiner Name No		Not yet assigned					
x Applicant c	.27	Art Unit	it Not yet assigned						
TOTAL AMOUN		Attorney Docket No. 36844-202891							
METHOD OF F	PAYMENT (check	all that apply)							
Check	Credit Card	Money Order	None		please identi				
L	ount Deposit Account N					Venable LLF			
	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee								
X Cha	rge any additional f s) under 37 CFR 1	ee(s) or underpa .16 and 1.17	ayment of	x Credit	any overpa	yments			
FEE CALCULA	ATION (All the fe	es below are	due upon	filing or may	be subje	ct to a surch	arge.)		
1. BASIC FILING	, SEARCH, AND E			00115550		ATION FEED			
	FIL	ING FEES Small Entity	SEAR	CH FEES Small Entity	EXAMIN	ATION FEES Small Entity			
Application Typ	<u>e Fee (\$)</u>		<u>Fee (\$)</u>	Fee (\$)	Fee (\$)	Fee (\$)	Fees P	aid (\$)	
Utility	300	150	500	250	200	100			
Design	200	100	100	50	130	65			
Plant	200	100	300	150	160	80			
Reissue	300	150	500	250	600	300			
Provisional	200	100	0	0	0	0			
2. EXCESS CLAI	M FEES						Fee (\$)	Small Entity Fee (\$)	
Fee Description Each claim over 2	20 (including Reiss	ues)					50	25	
Each independent	t claim over 3 (incl	uding Reissues)					200	100	
Multiple depende	nt claims						360	180	
Total Claims	Extra Claims O or HP	Fee (\$)	Fee Pai	d (\$)		Iltiple Depende			
	r of total claims paid fe	=			Fee	<u> </u>	ee Paid (\$	,	
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Claims	Claims	Fee (\$)	Fee Pai	d (\$)					
	or HP = X r of total claims paid fo								
3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)									
100 = /50 (round <b>up</b> to a whole number) x =									
4. OTHER FEE(S)  Fees Paid (\$)									
Non-English Specification, \$130 fee (no small entity discount)									
Other (e.g., late filing surcharge):									
SUBMITTED BY	1	0.1							
Signature	Unda (	her		Registration No. Attorney/Agent)	36,729	Telephone	202 344	4 4000	
Name (Print/Type)	Andrew C. Aitken			× .		Date 3/	17/06	>	
							· · /		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.